



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,227	06/14/2000	Edward B. Eytchison	SONY-50N3796	7842
7590 06/21/2007 Wagner Murabito & Hao LLP Two North Market Street Third Floor San Jose, CA 95113			EXAMINER HO, CHUONG T	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 06/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/594,227	<b>Applicant(s)</b> EYTCHEISON ET AL.	
	<b>Examiner</b> CHUONG T. HO	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4,6-11,14,15,17,18 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-11,14,15,17,18 and 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2616

1. The amendment filed 04/09/07 have been entered and made of record .
2. Applicant's arguments with respect to claims 1, 3-4, 6-7, 23, 8-11, 14, 24, 15, 17-18, 20-22 have been considered but are moot in view of the new ground(s) of rejection.
3. Claims 1, 3-4, 6-7, 23, 8-11, 14, 24, 15, 17-18, 20-22 are pending.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-4, 6-7, 23, 8-11, 14, 24, 15, 17-18, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman (U.S. Patent No. 6,243,707 B1) in view of Van Ee et al. (U.S. Patent No. 6,848,104 B1).

As to claim 1, Humpleman discloses accessing a network service database (col. 22, lines 3-5, the macro button 1202 is contained on the macro list) containing a plurality of service offerings that aggregate capabilities of a plurality of devices (col. 21, lines 30-35, TV, DVCR) coupled as a network (col. 22, lines 3-5, a macro button is included on a respective home device's HTML home page. Selecting the macro button causes the macro list HTML page 1214 to be displayed to the user. In one embodiment, the create macro button 1202 is contained on the macro list HTML page 1214 for a respective home device) (col. 11, lines 30-38, device list file);

Receiving a service-based request from a user based on one or more said service offerings (see col. 20, lines 17-20, the session manager is also responsible for querying

Art Unit: 2616

various home devices for their data specifications, in order to ensure the requested user service is properly established and performed) (see col. 17, lines 38-41, the HTML page may identify services available to the user by content, such as by providing a list of video or audio programs, etc., which are available on the home network regardless of the device on which such content is being provided);

Determining one or more resources (devices) of said network for carrying out said server-based request from said network service database (col. 11, lines 30-40, each home device that is available on the home network...the IP address and logical name pairs associated with the available home devices to be stored within a device list file), wherein said resources includes one or more source devices, one or more destination devices and one or more communication links (col. 13, lines 33-35, generating the device link page, the auto-tree builder uses the device list file to create a device HTML file that contains a home device button for each home device that is currently connected to the home network);

Translating said service-based request into one or more device-specific events for carrying out said service-based request based on said network service database (col. 21, lines 62-65, the macro file 1210 is assigned a unique macro name 1211 and saved on the home device. The macro name 1212 is saved as a macro name button on the home device's macro list HTML page 1214. Thereafter, a user may select the macro name button, causing the respective macro file 1210 to be executed);

Wherein said service request list is arranged as a hierarchical data structure (figure 16) that includes a top level (figure 16, col. 21, lines 63-65, macro name button "event

Art Unit: 2616

name”) and one or more lower levels (figure 16, 1308, command “device’s specific command”), wherein said top level includes a handle logically associated with said service-based request (col. 21, lines 63-65, the macro name button), and descriptive information for carrying out said service-based request (col. 21, lines 63-65, the macro name button), and wherein a lower level (figure 16, 1308, commands) includes one or more logical links between said resources (figure 16, macro file 1310), and one or more device-specific command (figure 16, 1308, commands) for carrying out the service-based request (col. 21, lines 63-65, the macro button) by said resources (figure 16, macro file 1310);

Storing said service request list and scheduling said service request list for executing said plurality of device-specific events chronologically and sequentially according to said service request list (col. 20, lines 18-20, The session manager is also responsible for querying various home devices for their data specifications, in order to ensure the requested user service is properly established and performed).

However, Humpleman et al. is silent to disclosing determining whether said service request list conflicts with another service request list.

Van Ee et al. discloses wherein top level (col. 14, lines 15-17, objects) includes a handle logically associated with said service-based request (col. 13, lines 26-28, lines 33-35, macro objects), and descriptive information (col. 7, lines 25-40, TVs, VCRs, CD players) and timing information (col. 14, lines 15-17, the timers track elapsed time, including among (s) one or more user selections of objects);

Art Unit: 2616

Determining whether said service request list (col. 13, lines 1-3, macro's task) conflict with another service request list; and provided that said service request list does not conflict with said another service request list (see col. 13, lines 1-13, macro's task may be suspended or terminated, from instance to instance, based on conflict information from the environment);

Thus, it would have been obvious to one of ordinary skill in the art at time of the invention to incorporate determining whether said service request list conflicts with another service request list taught by Van Ee et al. into the system of Humpleman. One would have been motivated to do so to enable to tracks the objects and set of objects that each user selects and/or declines to select, and the frequency of selection of particular objects and sets of objects.

6. As to claim 8, Humpleman discloses accessing a network service database (col. 22, lines 3-5, the macro button 1202 is contained on the macro list) containing a plurality of service offering that aggregate capabilities of a plural of devices (col. 21, lines 30-35, TV, DVCR) coupled as a network (col. 22, lines 3-5, a macro button is included on a respective home device's HTML home page. Selecting the macro button causes the macro list HTML page 1214 to be displayed to the user. In one embodiment, the create macro button 1202 is contained on the macro list HTML page 1214 for a respective home device) (col. 11, lines 30-38, device list file);

Presenting the plurality of service (the macro name buttons) offering to a user (col. 21, lines 63-67);

Art Unit: 2616

Receiving a service-based request from a user based on one or more said service offerings (see col. 20, lines 17-20, the session manager is also responsible for querying various home devices for their data specifications, in order to ensure the requested user service is properly established and performed) (see col. 17, lines 38-41, the HTML page may identify services available to the user by content, such as by providing a list of video or audio programs, etc., which are available on the home network regardless of the device on which such content is being provided);

Determining one or more resources (devices) of said network for carrying out said server-based request from said network service database (col. 11, lines 30-40, each home device that is available on the home network...the IP address and logical name pairs associated with the available home devices to be stored within a device list file), wherein said resources includes one or more source devices, one or more destination devices and one or more communication links (col. 13, lines 33-35, generating the device link page, the auto-tree builder uses the device list file to create a device HTML file that contains a home device button for each home device that is currently connected to the home network);

Translating said service-based request into one or more device-specific events for carrying out said service-based request based on said network service database (col. 21, lines 62-65, the macro file 1210 is assigned a unique macro name 1211 and saved on the home device. The macro name 1212 is saved as a macro name button on the home device's macro list HTML page 1214. Thereafter, a user may select the macro name button, causing the respective macro file 1210 to be executed);

Art Unit: 2616

Wherein said service request list is arranged as a hierarchical data structure (figure 16) that includes a top level (figure 16, col. 21, lines 63-65, macro name button "event name") and one or more lower levels (figure 16, 1308, command "device's specific command"), wherein said top level includes a handle logically associated with said service-based request (col. 21, lines 63-65, the macro name button), and descriptive information for carrying out said service-based request (col. 21, lines 63-65, the macro name button), and wherein a lower level (figure 16, 1308, commands) includes one or more logical links between said resources (figure 16, macro file 1310), and one or more device-specific command (figure 16, 1308, commands) for carrying out the service-based request (col. 21, lines 63-65, the macro button) by said resources (figure 16, macro file 1310);

Storing said service request list and scheduling said service request list for executing said plurality of device-specific events chronologically and sequentially according to said service request list (col. 20, lines 18-20, The session manager is also responsible for querying various home devices for their data specifications, in order to ensure the requested user service is properly established and performed).

However, Humpleman et al. is silent to disclosing determining whether said service request list conflicts with another service request list.

Van Ee et al. discloses wherein top level (col. 14, lines 15-17, objects) includes a handle logically associated with said service-based request (col. 13, lines 26-28, lines 33-35, macro objects), and descriptive information (col. 7, lines 25-40, TVs, VCRs, CD



Art Unit: 2616

players) and timing information (col. 14, lines 15-17, the timers track elapsed time, including among (s) one or more user selections of objects);

Determining whether said service request list (col. 13, lines 1-3, macro's task) conflict with another service request list; and provided that said service request list does not conflict with said another service request list (see col. 13, lines 1-13, macro's task may be suspended or terminated, from instance to instance, based on conflict information from the environment);

Thus, it would have been obvious to one of ordinary skill in the art at time of the invention to incorporate determining whether said service request list conflicts with another service request list taught by Van Ee et al. into the system of Humpleman. One would have been motivated to do so to enable to tracks the objects and set of objects that each user selects and/or declines to select, and the frequency of selection of particular objects and sets of objects.

7. As to claim 15, Humpleman discloses accessing a network service database (col. 22, lines 3-5, the macro button 1202 is contained on the macro list) containing a plurality of service offerings that aggregate capabilities of a plurality of devices (col. 21, lines 30-35, TV, DVCR) coupled as a network (col. 22, lines 3-5, a macro button is included on a respective home device's HTML home page. Selecting the macro button causes the macro list HTML page 1214 to be displayed to the user. In one embodiment, the create macro button 1202 is contained on the macro list HTML page 1214 for a respective home device) (col. 11, lines 30-38, device list file);

Art Unit: 2616

Receiving a service-based request from a user based on one or more said service offerings (see col. 20, lines 17-20, the session manager is also responsible for querying various home devices for their data specifications, in order to ensure the requested user service is properly established and performed) (see col. 17, lines 38-41, the HTML page may identify services available to the user by content, such as by providing a list of video or audio programs, etc., which are available on the home network regardless of the device on which such content is being provided);

Determining one or more resources (devices) of said network for carrying out said server-based request from said network service database (col. 11, lines 30-40, each home device that is available on the home network...the IP address and logical name pairs associated with the available home devices to be stored within a device list file), wherein said resources includes one or more source devices, one or more destination devices and one or more communication links (col. 13, lines 33-35, generating the device link page, the auto-tree builder uses the device list file to create a device HTML file that contains a home device button for each home device that is currently connected to the home network);

Translating said service-based request into one or more device-specific events for carrying out said service-based request based on said network service database (col. 21, lines 62-65, the macro file 1210 is assigned a unique macro name 1211 and saved on the home device. The macro name 1212 is saved as a macro name button on the home device's macro list HTML page 1214. Thereafter, a user may select the macro name button, causing the respective macro file 1210 to be executed);

Art Unit: 2616

Wherein said service request list is arranged as a hierarchical data structure (figure 16) that includes a top level (figure 16, col. 21, lines 63-65, macro name button "event name") and one or more lower levels (figure 16, 1308, command "device's specific command"), wherein said top level includes a handles logically associated with said service-based request (col. 21, lines 63-65, the macro name button), and descriptive information for carrying out said service-based request (col. 21, lines 63-65, the macro name button), and wherein a lower level (figure 16, 1308, commands) includes one or more logical links between said resources (figure 16, macro file 1310), and one or more device-specific command (figure 16, 1308, commands) for carrying out the service-based request (col. 21, lines 63-65, the macro button) by said resources (figure 16, macro file 1310);

Storing said service request list and scheduling said service request list for executing said plurality of device-specific events chronologically and sequentially according to said service request list (col. 20, lines 18-20, The session manager is also responsible for querying various home devices for their data specifications, in order to ensure the requested user service is properly established and performed).

However, Humpleman et al. is silent to disclosing determining whether said service request list conflicts with another service request list.

Van Ee et al. discloses wherein top level (col. 14, lines 15-17, objects) includes a handle logically associated with said service-based request (col. 13, lines 26-28, lines 33-35, macro objects), and descriptive information (col. 7, lines 25-40, TVs, VCRs, CD

Art Unit: 2616

players) and timing information (col. 14, lines 15-17, the timers track elapsed time, including among (s) one or more user selections of objects);

Determining whether said service request list (col. 13, lines 1-3, macro's task) conflict with another service request list; and provided that said service request list does not conflict with said another service request list (see col. 13, lines 1-13, macro's task may be suspended or terminated, from instance to instance, based on conflict information from the environment);

Thus, it would have been obvious to one of ordinary skill in the art at time of the invention to incorporate determining whether said service request list conflicts with another service request list taught by Van Ee et al. into the system of Humpleman. One would have been motivated to do so to enable to tracks the objects and set of objects that each user selects and/or declines to select, and the frequency of selection of particular objects and sets of objects.

8. In the claim 9, Humpleman et al. discloses service request list contains details of a source consumer electronic device and of a destination consumer electronic device (see col. 27, lines 42-55), said details comprising control information (see col. 8, lines 60-63) and timing information of source consumer electronic device and destination consumer electronic device (see col. 17, lines 40-50).

9. In the claims 3, 10, 17, Humpleman discloses service request list comprises information that describes routing information that allows source consumer electronic device to be routed to destination consumer electronic device (see col. 27, lines 42-55, col. 8, lines 60-63, col. 17, lines 40-50).

Art Unit: 2616

10. In the claims 4, 11, 18, Humpleman discloses determining availability of said source devices, said destination devices and said communication links at a time said service-based request is to be rendered (see col. 11, lines 32-40).

11. In the claims 6, 13, 20, Humpleman et al. discloses determining an amount of media of intermediate consumer electronic device that is available for recording broadcast program (see col. 17, lines 30-48).

12. In the claims 7, 14, 21, Van Ee et al. discloses denying service-based request provided service-based request is in conflict with another service-based request (see col. 13, lines 1-12).

13. As to claim 22, Humpleman discloses executing said device-specific commands chronologically and sequentially according said timing information for each of said resources (col. 20, lines 17-20).

14. As to claim 23, Humpleman discloses presenting said plurality of service offering to a user application (the macro name buttons), wherein said service based request is received in response to said presenting said plurality of service offering (col. 21, lines 63-67).

15. As to claim 24, Humpleman discloses wherein said service request list schedules said device specific-commands for executing chronologically and sequentially according to said service-based request (col. 20, lines 17-20).

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Johnson et al. (U.S. Patent No. 6,580,950).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

06/14/07



HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600